

HOUSE BILL 4059

By Jones U

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 13, Part 1, relative to personnel policies of  
public charter schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 13, Part 1, is amended by  
adding the following language as a new, appropriately designated section:

Section \_\_\_\_.

(a) If the professional employees of a charter school have organized under the  
“Education Professional Negotiations Act”, compiled in chapter 5, part 6, as provided in §  
49-13-118, the personnel policies concerning the conditions of employment negotiated  
pursuant to § 49-5-611 shall apply to the professional employees, provided, however,  
the provisions of subsection (b) shall apply to all other employees of such charter school.

(b) If the professional employees of a charter school have not organized under  
the “Education Professional Negotiations Act”, and any employee of the charter school is  
suspended or discharged from employment and the employee is not given at least a  
two-week notice during which time salary and benefits continue to be paid to the  
employee, the employee has a right, after appealing the suspension or discharge from  
employment in violation of this subsection, to appeal such suspension or discharge to  
the chartering authority of the public charter school. The action of the chartering  
authority with regard to such suspension or discharge shall be final. Notwithstanding  
such limitation, nothing in this subsection shall be construed to abrogate or prohibit an  
employee from commencing any other cause of action or remedy under state or federal  
law an employee might have for wrongful suspension or discharge from employment.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.